

BOYD MAKES HARD FIGHT

Case May Go To Jury Before Night.

The trial of the Boyd case may be concluded today. A jury was secured on the opening of court yesterday morning and nearly all of the evidence for the prosecution is already in. The prosecution will probably have closed by noon and the defense will then make a motion to instruct the jury to acquit, on the ground that no connection has been shown between the money alleged to have been embezzled and Jas. H. Boyd the defendant.

There are three natives on the jury which is hearing the case, B. W. Houghtaling being the first man called yesterday morning, and he was immediately accepted. The jury is composed as follows:

Benjamin R. Campbell, Chas. N. Marquez, C. K. Quinn, Chas. Dickerson, Vincent Fernandez, John A. Noble, Geo. O'Hara, Geo. H. Greene, A. E. Lloyd, Jos. Richards, Benj. W. Houghtaling and Bert Sharratt.

At the opening of the trial Mr. Robertson for the defense agreed to admit that Boyd was Superintendent of Public Works during the times mentioned in the indictment. Mr. Cathcart made the opening statement to the jury. He said that he would prove that Boyd has received a check for \$200 from the Honolulu Clay Co. on March 2, 1902, and that on the same day he deposited a similar amount to his credit in Spreckels' bank. On the second count he said he would show that Boyd had received a check for \$1650 from C. B. Cooper on June 10, 1902, and a day later had deposited the sum of \$1800 to his credit in Spreckels' bank.

R. D. Mead was the first witness. He testified that he had arranged with Boyd the quieting of the title of the land of the Honolulu Clay Co. in Nuuanu Valley and had agreed to pay him \$200 for a deed. This was done, the check being made out to the order of Jas. H. Boyd by W. O. Smith as trustee.

Dr. C. B. Cooper, the next witness, testified that he had given Boyd a check for \$1650 on June 10, 1902, in payment for land on Tantalus, and that the check had been returned to him as paid by Bishop & Co.

Manuel Cook was the next witness and testified regarding the payment of money into the Public Works office. He related the various payments in the office as shown by the books, which were admitted by the court over the objection of the defendant. He testified also that his books showed no payment of the items of \$200 and \$1650.

E. C. Atherton of the Bank of Hawaii testified that he had cashed the check for \$200, that the check had been indorsed by Boyd, but that the money was not paid to him. He thought a messenger had cashed the check.

Henry Hapal, registrar of the Treasury, testified that there had been no payments into the Treasury Department by the Superintendent of Public Works from March to October 30th, 1902.

J. Tarn McGrew testified that he had paid the check of \$1650, not to Boyd, but to a messenger of the Public Works office who always cashed the checks.

H. H. Walker of Spreckels & Co. was then put on the stand to testify as to deposits made by J. H. Boyd, but the court sustained an objection on the ground that there had been no showing as yet that Boyd had personally received the money on the checks.

E. S. Boyd, Land Commissioner, testified that the town lots were under the supervision of the Minister of Interior and later of the Superintendent of Public Works. He said that the land sold to the Honolulu Clay Co. was about a mile and a half from town. He said that they were within the town limits, and upon Robertson's suggestion said the town extended from Moanalua to Maunaloa and from the sea to the first ridge.

Robertson said that the records should show whether or not the town lots were within the jurisdiction of J. H. Boyd, and the point will be raised that Boyd had no right or authority to sell this land as it was properly within the province of the Land Office.

Walker is to be recalled by the prosecution this morning, and there will also be the testimony of one of the messengers in the Public Works office. B. H. Wright has been summoned to testify as well, though it is not certain that he will do so.

If the court fails to sustain the motion of the defendant for a verdict of acquittal the defense will probably attempt to show that the money was never actually paid to Boyd, but that Wright was responsible for it. Oliver Stillman, cashier of the Public Works Office, J. A. McCandless, a former Superintendent of Public Works, and Jas. Kulike, a messenger formerly in the office, and who will probably be asked to deny that he ever paid any money directly to Boyd, on checks cashed by him, are subpoenaed for the defense. Stillman was summoned as a witness for the prosecution yesterday but was reported too ill to appear.

Local Option.

The local option law introduced by Senator Dickey provides that whenever thirty per cent of the electors of any election district petition the Governor for the privilege to determine by ballot whether the sale of intoxicating liquors shall be prohibited within the district or not, he shall call an election.

The act does not prohibit the sale of liquor by druggists or by wholesalers.

REVENUES OF COUNTIES

What May Be the Cash Receipts of Each.

Work upon getting into shape the appropriation bill is under way by the finance committees of both houses and the outlook is that the measure will be ready for introduction long before the county law has been finished. The estimates of the departments are now under discussion and the several committees are holding daily sessions, going over the resolutions and petitions asking for appropriations.

In aid of the members of the committees valuable statistics have been gathered, among them a table made up by Deputy Auditor Meyers, in which there has been gathered the various items of revenue which will accrue to the several proposed counties under the basis of what they paid during the year ending June 30th, 1902. This indicates the amount of money that the counties may hope to have at their disposal, in the event of the tax rate being maintained at its present percentage.

In the table as prepared, the revenue of Honolulu is given as drawn from all the taxes, licenses, the courts, the police, the market, the sewerage and garbage bureaus, and in the other proposed counties the revenues are segregated in the same general way, every possible source of money-getting being credited with its proper proportion of return. The figures for the counties are as follows:

Honolulu \$941,443.41
Oahu (outside) 270,344.56

Kauai 121,737.97
Maui 199,054.83
Mau 219,989.79
East Hawaii 314,218.28
West Hawaii 110,343.56

The Territorial revenues include what may be secured from the stamps and inheritance taxes, from land sales, and all the various realizations within the Territorial jurisdiction. The items of conveyances and postal money or other capital being deducted shows this amount to be in round figures \$382,000. The total of the returns or revenues of the Territory during the year, omitting the \$140,000 received from the United States as interest refund, was \$2,455,172.81.

This would show that Oahu pays more than 60 per cent of the entire taxes of the Territory.

In this connection the estimates for public improvements have been taken as indicating the appropriations asked for the various counties on the same basis. These show, omitting Oahu—Maui, \$75,800; Kauai, \$64,335; East Hawaii, \$116,000; West Hawaii, \$129,850.

HOUSE IS AGAINST PLAN.

(Continued from Page 4.)

The J. T. Brown bill granting the County of East Hawaii certain lands on Hawaii was referred to the Public Lands Committee.

Kalaokalani's dressmaking bill was referred to the Committee on Petitions. The Judiciary bill was referred to the Judiciary Committee.

The amendment to the embezzlement act was referred to the Judiciary Committee and all the Bar Association bills were referred to the same committee.

FOREIGNER'S CLAIMS.

A letter was read from Gov. Dole giving the information asked in the Achi Resolution, of claims made by foreign subjects for damages incurred during the enforcement of martial law in 1895. The records in the Secretary's office show the following claims:

E. B. Thomas, British.....\$ 500.00
C. W. Ashford, British.....1,400.00
F. H. Redward, British.....600.00
W. F. Reynolds, British.....700.00
T. R. Rawlins, British.....400.00
G. C. Kenyon, British.....900.00
L. J. Levey, British.....900.00
M. C. Bailey, British.....200.00
F. Harrison, British.....800.00

Edmund Norrie, Danish.....\$6,400.00

Manuel Gli dos Reis, Portuguese.....\$50,000.00

P. G. Lycurgus, Greek.....75,000.00

P. G. Camarinos, Greek.....50,000.00

Total.....\$181,400.00

Senator Achi wanted the Governor's recommendation for a commission carried out, and afterwards the letter was referred to the Committee on Ways and Means.

PUNISHMENT IS LESS.

The bill defining assault and battery and providing for punishment was given its third reading and passed, Kalaokalani being the only member voting "no."

The bill relating to punishment for receiving of stolen goods was given a third reading and passed unanimously.

NO CHILD'S PLAY.

Senator Achi moved for a reconsideration of the vote on medical examinations as a bill had been introduced providing for five examinations. President Crabbe said the Governor had already been notified, and Baldwin said that the Senate should not act like a lot of school boys, and Isenberg remarked that he was ashamed of the Senators.

Only Achi and McCandless voted to reconsider and the Senate adjourned.

THIS IS THE REASON

when death stalks through the land in the form of pneumonia. The surest defense against this disease is Chamberlain's Cough Remedy. It always cures and cures quickly. All druggists and dealers sell it. Benson, Smith & Co., Ltd., agents for Hawaii Territory.

THE MOROCCAN INSURGENTS WIN ANOTHER BATTLE

Macedonians Have a Sharp and Bloody Skirmish With the Turks at Vladinerova.

LONDON, March 4.—A dispatch from Fez states that the rebels have defeated a Moorish army and captured their camp.

SOFIA, March 4.—The Macedonians and Turks have had a sharp engagement near Vladinerova. Ten insurgents and many Turks were killed.

WASHINGTON, March 4.—Consul McWade at Canton cables that the province of Kwangsi has been pacified. Rebels are active in adjoining provinces.

MAZATLAN, March 4.—A mob at Villa union objects to plague precautions and soldiers have been ordered to protect the health authorities.

VANCOUVER, March 4.—There is a serious strike on the Canadian Pacific. The water front is tied up.

WASHINGTON, D. C., March 5.—Secretary Hitchcock of the Interior Department has issued instructions for the sale of the four per cent bonds provided for under the Hawaiian Fire Claims appropriation approved January 26.

Governor Dole is instructed to call for proposals for the purchase of coupon bonds dated May 1st, 1903, redeemable in not less than five years or more than fifteen years from the date of issuance. The total amount to be floated is \$326,000. The bonds will be of the denomination of \$1,000.

WASHINGTON, D. C., March 5.—Pursuant to the proclamation of the President, the Senate assembled in extra session at noon today. The organization was promptly accomplished, the new Senators including Smoot from Utah being sworn in and formally seated without incident.

President Roosevelt's message was read immediately the organization was completed. The President urges prompt action upon the Panama Canal and Cuban Reciprocity Treaties, for which the extra session was called. After hearing the message the Senate adjourned till Monday next.

INTERESTING BITS FROM THE ASSOCIATED PRESS SPECIAL TO ADVERTISER

(Associated Press Mail Special.)

BRISTOL (R. I.), February 25.—The new cup yacht is growing rapidly. The upper portion of the stem has been fastened in place. It is caststeel and is attached to the bronze stem underneath, giving the boat her designed outline at the forward end. In many respects this gives the appearance of a spoon bow, but not to a radical degree, owing to the length of the overhang.

The mainmast, which is now completed in the south shop, shows a length which will preclude the possibility of the gaff being too far outboard. This was the case at one time with the mast of the Constitution. The mainmast is being fitted with two sets of spreaders.

NEW YORK SALOONS.

ALBANY (N. Y.), February 25.—District Attorney Jerome of New York appeared before the Senate and Assembly committees yesterday in advocacy of the Jerome bill, permitting saloons in New York to be open between the hours of 1 and 11 p. m. on Sundays. Mr. Jerome said: "Every saloon in New York could be closed on Sunday and kept closed, but it could not be enforced permanently, for the men who enforced it would be swept out of office. The Mayor of New York is prattling about the liberal enforcement of the law, when there is no such thing. You must either enforce a law or not enforce it. We are not a law abiding community, but we could learn to obey a law that we respected."

A STORY FROM PELEE.

NEW YORK, February 25.—Joseph Scabarce, the St. Pierre survivor, who has arrived here tells an interesting story of his experiences at the time of the eruption of Mont Pelee. Scabarce says he was placed in jail for slandering a man with a knife. Then he was put in the dungeon for fighting with a prisoner. His story continued: "On the next day it got very warm. I heard the sound of explosions, but it was only thunder. Shrieks and cries followed the great noise. Then all was still and it began to grow hot. I thought the prison was on fire. Ashes and burning stuff began to sift through the bars."

"The pile of straw I used for a bed took fire, but I stamped it out. Hot ashes sifted on my head, arms and back. I was stripped to the waist, and every spark left a scar. After a long time ashes stopped falling. I was sore and hungry. I did not know how long I stayed in the dungeon."

"Finally I went to sleep and knew nothing more until I found myself in the arms of a priest who had been my friend in the prison. The father had remembered that I was in jail, and after the fire went out he came to save me and had me dug from the ruins. I was told that I was buried four days without food and little air."

THE RAZLAG CURE.

WASHINGTON, February 25.—According to United States Consul McWade at Canton, it has remained for an American physician, Dr. Adolph Razlag, to discover a means of curing and exterminating leprosy. In a report to the State Department the consul says that wonderful success has attended the efforts of this physician, and his work has attracted the attention of the highest Manchou and Chinese officials. This work began in June, 1902, in a leper village six miles distant from Canton. Of four cases treated, three have been discharged completely cured and the fourth is making a practical recovery. The physician urges strongly the adoption of his methods for the treatment of lepers in the Philippines and in Hawaii. The main features of the treatment, which is shown in detail in the consul's report, appear to consist of minute and long sanitation and the use of highly anti-septic drugs.

ANARCHISTS ACTIVE.

NEW YORK, February 25.—The Evening Telegram today prints a story to the effect that anarchists from all over the world are about to meet in a secret convention at Paris to devise plans that may radically affect the crowned heads of Europe. All preparations for the convention were carefully guarded, but the plans became known through the boastful talk of a youthful delegate to the convention from this city. This man, an Italian known as "Angelo" and "Rudolph" gave up his place on Saturday, declaring that he had been selected as one of five delegates from the United States to the convention. The Telegram continues:

"Far-reaching anarchist plans are to be discussed and perfected at this world's convention, it is said, and it is even whispered that ere an adjournment is taken a meeting of anarchy's innermost cabal will have been held and lots will have been drawn assigning men to deeds, the full accomplishment of which may shape the destinies of the reigning houses of Europe."

DIED OF DIETING.

CHICAGO, February 25.—The funeral of Miss Cora Dean, better known as "Coradine," who had achieved renown as a writer of short stories, occurred here today. Miss Dean died yesterday of scarlet fever after an illness of a week. The fact that the young author had restricted her diet for some time to uncooked foods and was accustomed to omit the morning meal in pursuance of a system exploited by a local physician is believed by the friends of Miss Dean to have rendered her peculiarly susceptible to the disease which caused her death, and her death is, in a measure, attributed to these practices. The body was sent to Bloomington, Mich., where it will be interred on Sunday.

POTATOES AND CASTOR BEANS

Matters of Interest to Farmers on Islands.

The agricultural experiment station has issued two bulletins that will be of interest to farmers on all the islands. The first of these deals with the preliminary experiments made by Special Agent J. G. Smith with the "quick blight" of the potato. In this the agent says:

"Irish potato growing was once an important agricultural industry in Hawaii. During one year, 71,000 barrels were shipped from the country; but for various reasons the industry became of minor importance and of late years the local demand has been largely supplied by importations. The latest source of discouragement to the grower is a disease which often wipes out whole fields of potatoes in a short time. Nearly every island of the group has its infected districts—Kula, Kohala, Kona, Waimea and sections on Oahu."

"This disease of the potato has been confounded with the potato rot, but they are entirely different both in the cause and in their effect upon the plant. Until a better name is given we shall call it the 'quick blight.'"

"In March, 1902, experiments were begun at Kula, Maui, to study the disease with the hope of finding a remedy. The land chosen was under the control of Mrs. Randal Von Tempsky, and was situated at an elevation of between 3,500 and 4,000 feet."

"The plan of the experiment was to test comparatively the resisting power to the disease of 45 imported varieties of potatoes. These were to be planted under varied conditions—on good soil partly protected from the wind, on average soil dug to the depth of 12 inches, and on average soil dug to the depth in common practice in that locality. The 45 varieties of potatoes used in the experiment were: Northern Beauty, Gem of Arrostook, Early Harvest, Early Northern, New Queen, The Minister, Carman No. 1, Green Mountain, Beauty of Hebron, Pearl of Savoy, Black Christy, White Elephant, Dakota Red, Early Rose, Early Fortune, Early Six Weeks, I. X. L., Pride of the South, The June, Acme, Bovee, Breck's Chance, Burpee's Extra Early, Cambridge Russet, Early Ohio, Early Michigan, Philbasket, Honeoye Rose, Hammond's Wonderful, Irish Cobbler, Long Keeper, Carman No. 3, Mill's Banner, Mill's Prize, Maui's Thoroughbred, Manun's Enormous, Nott's Peach, Prof. Rose, Rural New Yorker No. 2, Sir Walter Raleigh, Stephens, Steuben, Twentieth Century, Uncle Sam, and Wonderful Clay Rose."

"The potatoes apparently grew well until the early part of June when the quick blight made its appearance in the leaves and stems. The crop was harvested June 27. "The varieties that best withstood the Quick Blight were The June, Honeoye Rose, Maui's Thoroughbred and Uncle Sam, and of these The June remained green after the others had succumbed."

"The second bulletin deals at length with the growing of castor beans for market. Concerning this crop the special agent says: "The castor bean plant feeds most heavily upon phosphoric acid and potash. In sterile soils, or in soils deficient in these elements low grade fertilizers containing them can be profitably used."

"In Kona a crop of beans can be harvested every thirty days, after the plants commence to bear. "The commercial life of the crop, that is the period during which it can be profitably cultivated without replanting, on a good field, ranges from five to seven years, but during this period it must receive frequent cultivation and an occasional dressing of fertilizer, to obtain the best results."

"From data obtainable in these islands, the average crop from sea level, up to an altitude of from twelve to fifteen hundred feet, ranges from twenty-five hundred to three thousand pounds per acre per annum. Individual trees in the most favored localities, with good soil and cultivation, and a fair amount of rainfall, have been known to yield as high as one hundred pounds of clean seed. However, from twenty to twenty-five pounds per plant is the average yield of clean seed."

"The process of manufacture of the oil is quite complicated, and it does not pay the cultivator to attempt, by himself, to extract the oil."

"The current prices for castor beans of good quality range from \$5.00 to \$6.00 per ton in the Honolulu market; a price sufficient to yield a margin of profit both to the cultivator and to the manufacturer of the oil."

"The residue remaining after extraction of the oil from the castor bean is itself a product of some value for fertilizer. Analyses of this substance show that the castor pomace contains on an average about 5 per cent nitrogen, 2 per cent phosphoric acid and 1 per cent potash. The seed pods and pod stems contain about 2.5 per cent nitrogen and 4.5 per cent potash."

Old Fitch Will Stay.

Col. Thomas Fitch has reconsidered his plan to leave Hawaii, has recalled his shipment of personal effects and will remain in the office. Mrs. Fitch finds this the only climate which agrees with her health and she has discouraged her husband from leaving. Col. Fitch himself likes it here but he was disposed to accept some recruiting offers from Washington.

HAYSELDENS' ACTING IN GOOD FAITH

That Is the Opinion of Commissioner Boyd.

"I have been on the ground and have investigated the so-called 'Hayseldens Settlement Association' on Hawaii very closely," said Land Commissioner E. S. Boyd yesterday. "I am satisfied that it is a bona fide association, and not an attempt to get title to land to be used for some purposes other than those of settlement. The men who form the association, Samuel Kauhane, W. M. Kauhane, the four Hayseldens, J. H. Waipulani and J. H. and J. H. S. Martin are all personally known to me. They are all, or nearly all, employed on the plantation in the neighborhood and I think mean to go and live upon the lands in the Kiolakaa, Puumakaa, Paapahaku and Puua districts where they shall be granted to them."

"The lands applied for are pastoral lands, and the men applying for them are all practical cattle men. The Kauhane have been in the cattle business nearly all their lives. They ask for the lands in tracts of 100 and 200-acre tracts, and that is little enough for grazing purposes. The land laws of the mainland provide for taking 500 acres. The men in this association, as I have said, are all practical cattle men although some of them are now employed on plantations. One of the Hayseldens, Walter, I think is now at work as a sugar boiler."

"I believe that they will be able to comply with the terms of the law, and that they mean to do it in good faith, and not to get possession of the land for purposes other than home-making. If it can be shown that they are not acting in good faith, certainly their petition will not be granted. You must remember that I do not act alone nor of my own motion in granting applications for colonization under the settlement association plan. Every application is considered by all the heads of the departments of the government, and if there is shown the least reason to doubt the bona fides of the applicants, their applications go by the board."

"Further than that, it is not the choicest lands in the vicinity of the proposed settlement that the members of this association have asked for. They want the pastoral lands. The agricultural areas, the choicest parts of it, have been reserved and are open to anybody who wants to make a home there. There are twenty or twenty-one of these choice lots, of from forty to sixty acres, and none of these tracts are included in the settlement."

"I am aware," continued Mr. Boyd, "that the Settlement Association plan can be abused. Men can go on and form an association and get title to land that they do not intend to live upon, purely for speculative purposes, but those things are carefully watched, the character of the intending settler is looked into, and if there is the least reason for suspicion the applications are not granted. In the case of this particular association, the people of the Kau district have made no particular objection to the application. Certainly if there was anything wrong, it would be known there."

"Nobody wants to get small farmers on the land more than I do, but my department, while it is eager to help along the work of settling American farmers here, must also meet the local demand."

SENATOR BURTON IS IN TROUBLE

TOPEKA, Kan., Feb. 26.—Senator Burton's denial that he was in any way implicated in the E. J. Arnold Investment Company, which collapsed so sensationally recently, has failed to check the rumors that a resolution will be introduced in the legislature asking him to resign his seat in the United States senate. It is stated on good authority that it is known the senator's name was used openly by a concern affiliated with the Arnold company, but the senator says this was done without his authorization.

SUCCESSOR TO WRAY TAYLOR

Governor Dole will within a few days send to the Senate a nomination for Commissioner of Agriculture to succeed Wray Taylor whose continued absence from the Territory has been accepted as a resignation.

"I am now considering a successor to Mr. Taylor," said the Governor yesterday. "I have received no word from him and have not the remotest idea as to his whereabouts. The examination of his books showed that his accounts were correct. There was one item which however is in need of some explanation."

Nothing was heard from Mr. Taylor by the Nebraska which brought four days' mail and his whereabouts are as much a mystery as ever.

Found Old Bones and Skulls.

While an excavation was being made yesterday for one of the new cable cars at Iolani a large number of human bones and skulls were found a few feet beneath the surface, embedded in coral. These crumbled and broke up easily on being brought to the surface.